

# CITY OF TROUTDALE

## AGENDA

### TROUTDALE CITY COUNCIL - REGULAR MEETING

#### COUNCIL CHAMBERS

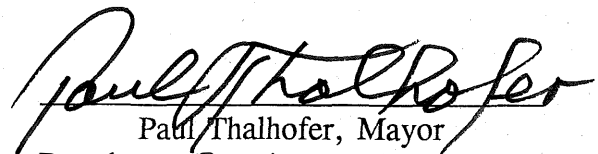
TROUTDALE CITY HALL

104 SE KIBLING AVENUE

TROUTDALE, OR 97060-2099

7:00 P.M. -- March 26, 1996

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
  - 2.1 Accept Minutes - Regular Session - February 27, 1996
  - 2.2 RESOLUTION: A Resolution Authorizing the Mayor to Enter into a Lease Agreement to Place a Telecommunication Antenna on the Stark Street Water Tower.
  - 2.3 RESOLUTION: A Resolution Dedicating the use of the Waste Water Treatment Plant Storage Building Exclusively for Waste Water Purposes and not for any other General City Use.
  - 2.4 RESOLUTION: A Resolution Accepting the Construction of the Underground Utilities (water and sanitary sewer only) Installed During the Construction of Cherry Park Road East of 257th Avenue and Accepting them into the City's Fixed Asset System.
  - 2.5 RESOLUTION: A Resolution Granting a Quitclaim Deed to Cherry Ridge Limited Partnership for a Portion of a Water Line Easement Along the East Side of the Cherry Ridge Development.
  - 2.6 RESOLUTION: A Resolution Entering into an Intergovernmental Agreement with the State Department of Transportation for Participation in the ODOT/DLCD Transportation and Growth Management Program and Receipt of Grant Funds for the Transit, Pedestrian, and Bicycle Enhancement Study of 257th Avenue.
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (I) 4. DISCUSSION: Request by Troutdale Station to Exchange Properties with the City of Troutdale. Faith
- (I) 5. COUNCIL CONCERNS AND INITIATIVES
- (A) 6. ADJOURNMENT.

  
Paul Thalhofer, Mayor

Dated: 3-19-96

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**Minutes**  
**Troutdale City Council Regular Meeting**  
**Troutdale City Hall**  
**Council Chambers**  
**104 SE Kibling Avenue**  
**Troutdale, Oregon 97060-2099**

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**MARCH 26, 1996 - 7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

Mayor Thalhofer called the meeting to order at 7:00 p.m. and called on Councilor Kight to lead the Pledge of Allegiance.

City Recorder Martinez called the roll.

**PRESENT:** Thalhofer, Smith, Ripma, Kight, Lloyd, Burger-Kimber

**STAFF:** Faith, Galloway, Gazewood, Kvarsten, Martinez, Newton, Sercombe

**GUESTS:** Fred Rathbone, George Lingalbach, Margaret Ferris, Jim Ferris, Don de Blanc, Heather Keston, Kevin Martin, Lorne Mitchell, Charles Strait, Richard Waddle, Nancy Strait, Richard Kissel

**PRESS:** Dionne Peoples-Salah - Oregonian

**2. CONSENT AGENDA:**

2.1 Accept Minutes - Regular Session February 27, 1996

2.2 **RESOLUTION:** A Resolution Authorizing the Mayor to Enter into a Lease Agreement to Place a Telecommunication Antenna on the Stark Street Water Tower.

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Mayor Thalhoffer called this item and read the consent agenda.

**MOTION:** Councilor Ripma moved to approve the consent agenda. Councilor Lloyd seconded the motion.

YEAS: 6  
NAYS: 0  
ABSTAINED: 0

### 3. PUBLIC COMMENT:

Mayor Thalhoffer called this.

Nancy Strait, 161 S.E. 19th, voiced concerns regarding problems with ground water standing on her property, feels that it is draining from the Stewart Ridge development. Ground is saturated and crawl space is filled with up to two feet of water. We have had this problem for three years it is not just from the recent rain. Neighbor has the same problem. The water dept. has told us unofficially that the water is coming from the development but there is nothing they can do, they said that I could drain the water into my neighbors yard but that does not seem right to me. We have taken a sample to get tested and were told it was highly contaminated with sewage. The City did a dye test and said it could take up to two months for it to show if there is a leak. Have been told that one of the drain lines in Stewart Ridge is not functioning properly and while I was in Erik Kvarstens office I learned that the City has known about it for some time. Main concern now is sewage. Three houses down their whole yard has been destroyed, another neighbor had to put in a steel wall two feet into the ground to keep the water out of his basement. I would like to get something done, if the code reads that you can just drain water off to wherever than it should be changed because that is not right.

Mayor Thalhoffer directed staff to look into the issue, particularly the sewage issue, and see if there is anything we can do regarding the ground water, sometimes there is not, it requires the cooperation of adjoining land owners.

Kvarsten stated that he spoke with the Straits on the previous afternoon, before that Councilor Smith and Jim Galloway had brought this to my attention. Regarding the sewer issue we have taken a couple samples today to confirm the results received by the Straits. We will be pressure testing the line in addition to the dye test already performed. We will be in contact with the Straits and the Council.

Council discussed how the Storm Water Drainage System in Stewart Ridge is functioning.

Charles Strait, 161 SE 19th, stated the tests were done by an independent lab, and voiced concerns regarding having to deal with neighbors regarding ground water run off. More restrictions need to be placed on the developers. They came into Stewart Ridge removed top soil and now the water only goes down so far and hits the clay and then flows under the road and into our yard. I doesn't seem right that people can build retention walls with the drains just hanging out the end and draining into the street, there are several of those in our area.

#### 4. DISCUSSION: Request by Troutdale Station to Exchange Properties with the City of Troutdale.

Mayor Thalhoffer called this.

Faith reviewed the staff report contained in the packet.

Max Maydew, 2206 SW Fox Ct., stated that when we talked originally about the project we showed a lot 20 that was straight across from Kibling, the engineer suggested that it would be nice to have the access line up with Kibling, some of the buildings we bigger than 32 feet and we squeezed them down to allow for the alignment. There became a wider space at the East end of the project and that is when we came up with the idea of extra parking spaces. If they do decide to put a building in it would be more desirable to have it along Columbia than force it to sit back from the street. I think it just makes sense.

Councilor Lloyd asked if there has been any discussion on getting an easement, rather than exchange property, from Lingelbach to do the design as proposed with the change in the parking because it seems it will benefit them the most.

Maydew stated he was not aware of any discussion, this boils down to the best us of the property, I think it would be best to have the development on Columbia.

Councilor Lloyd stated that there is no proposal that shows that is what they are going to do, I would feel more comfortable if we knew what they were going to do.

Councilor Burger-Kimber suggested making the property exchange with the condition that when they build it compliments the Maydew development.

Councilor Kight asked if Maydew considered the properties of equal value?

Maydew stated that he does, it rationalizes both projects.

Councilor Kight voiced concerns that the City will be losing the 7 parking spaces that are in the bus turn around area and the trees that have been there for sometime.

Maydew stated that it is very nice with the trees, but if the city would like that to be a park than maybe they should purchase the area and develop it themselves.

Fred Rathbone, 1470 SW Willowbrook Gresham, thanked the Council for their participation in the downtown core, you have made it possible by understanding the entire picture and now it is going to come to fruition. The best use of the properties is to make the exchange. The frontage property is not as valuable as normal frontage because nothing can be done on that small of piece. In the long run if and when they decide to build it will look better if they can bring it up to the sidewalk.

Councilor Burger-Kimber asked if in Rathbone's experience he has seen restrictions placed on properties like complimentary design and saving the trees?

Rathbone stated he has, these are good people and they will do what ever they agree to do.

George Lingelbach, 310 Bridge St., stated that we had originally proposed a building directly to the west of our existing building of if we were to grant an easement, as suggested earlier, this would eliminate or plan for a building. As far as the trees there is a possibility that we could build up far enough to preserve them, if we did have to remove them we would be glad to plant some others. There is a possibility of doing the same thing you did with the Maydew development, if and when we did build on the frontage we would pay back to the city the same as was done by the other development for the parking, that would be fair. This will allow us to figure out where we are going from here.

Mayor Thalhoffer asked when they planned to build if the exchange is made?

Lingelbach stated that they would wait and see what happened with the Maydew development, if more building were needed then they may build or sell the land to someone else. Even if we don't do the exchange I have talked with staff and we could still build, but we would have the little triangle in front of our building and it doesn't make a lot of sense.

Councilor Ripma asked how many buildings are they planning on their property?

Lingelbach stated that if the swap was made probably just the one up against the sidewalk, if no swap not sure could have one on the west end in front of our current building and one up near the triangle piece.

Councilor Ripma asked what Lingelbach thought of the park idea?

Lingelbach stated that if fair market value was paid then there probably wouldn't be a problem, we want to do what is best for the city, we want to be part of the city for a long time.

Councilor Burger-Kimber voiced concerns over the possibility of losing the trees on the Lingelbach property.

Lingelbach stated that they are not that good of trees, but would like to keep them but if not would replace.

Councilor Burger-Kimber asked if that were a condition of the swap would he save the trees?

Lingelbach stated that he is not prepared to answer that without looking into it, would favor saving the trees if possible.

Councilor Lloyd asked if the condition were that the building compliment the Maydew development would that be agreeable?

Lingelbach stated that if would not be a problem it makes sense.

Jim Farris, Co-owner of Troutdale Station, stated that the trees would not be seen if a building was built anyway.

Councilor Burger-Kimber disagreed with Farris, they contribute to the visual landscape in general from different angles.

Councilor Kight voiced concerns about losing the parking spaces when a building is built, we would be adding 3 and losing 7, how can that be justified.

Lingelbach stated that if we built the building even without the swap you would lose the parking spaces. We are not asking for something for nothing, we are will to do the same thing with repayment as the Maydews.

Faith clarified that the parking places will be lost no matter where a building is built, the city now uses the Lingelbach property to access the spaces and part of them are actually on their property.

**MOTION: Councilor Ripma moved to decline the land exchange until there is a more specific proposal to consider. Councilor Kight seconded the motion.**

**There is the possibility that they may sell the land and there is no telling what the may**

build. I am very impressed with the Mr. Lingelbach and Mr. Farris, but there is no telling who we may be dealing with in the future. I don't feel the value of the properties is in proportion.

Councilor Burger-Kimber stated that she is opposed to the motion, the encumbrances placed on the property can be transferred, this is a rational thing to do. It gives us some kind of control over what will be built by having the encumbrances. This improves the traffic flow of the Maydew project.

Councilor Lloyd stated that there is a lot of merit to the proposal, if the property is going to be developed commercially then it makes sense to square up the property lines and develop along the frontage. We could impose encumbrances and even take them up on their offer to repay part of the cost for the parking lot. My reluctance, which is out of the blue, is that we should consider acquiring property to develop into a park. I am a big believer in developing downtown and am delighted to see it happen, but there will not be much open space downtown anymore. It is a logical place to have a park from the tree line to the street that whole area, it is next to city hall, the depot, and in the downtown. If it is not possible then we should go ahead with the swap, but lets take a look at it first.

Mayor Thalhoffer that he is against the motion because when we decided to pitch in we did not have in mind a park we had in mind development, shops, offices, but not a park. We are investing a large sum of money to develop the area and should stick to the plan. There is a demand for office and shop space in the city. I have no doubt that the Lingelbach's will make it a nice, compatible building. They even brought up the idea of paying back part of what the city spends on the parking lot.

Councilor Smith stated that do need development of the downtown, but if we swap their property value will go up and if they sell it, we will lose any control. There should be a plan.

Councilor Burger-Kimber voiced concerns regarding the fact that the City of Troutdale Parks Plan was just adopted which did not address a park in the downtown. There is the depot with a nice area that can be made into a park and there is the trail from there that goes on down to the river. We spent a lot of money and time on the plan. There is also going to be the Harlow House right down the street. There are other areas in the downtown that would not be in direct conflict with the business area.

Councilor Lloyd stated that he agrees that the downtown will fill up but the plan is not in concrete it is a guide, one thing that we are all proud of is that we put street trees on our main street and that was not in the plan, that is not a legitimate argument. If this is an option then it has to be explored now or forever forget about it. It may not make sense but lets at least look at it.

Lingelbach stated that there is an option to have a park near the depot. If we did make the swap and you came to us in a few months you thought we need a park there then I would be willing to sell it back to you at fair market value. The Maydew plan was just an idea when he came to you in the beginning. We may be able to fit a park in next to us on the east side.

Councilor Kight stated that we can revisit the swap in six months if the park idea doesn't work out, but we should at least explore the issue before it is too late. There are a lot of ideas on the table right now so let's look at them.

Councilor Burger-Kimber voiced concerns that if the swap is not made now it will affect the design of the parking lot.

Mayor Thalhoffer stated that he was astonished that we started out with shops and have ended up with a park, it doesn't make sense that we have gone that far astray.

**MOTION:** Councilor Burger-Kimber moved to table the motion on the floor. Mayor Thalhoffer seconded the motion.

**YEAS: 3**  
**NAYS: 3 (Smith, Ripma, Kight)**  
**ABSTAINED: 0**

**MOTION FAILED**

**ORIGINAL MOTION:**

**YEAS: 4**  
**NAYS: 2 (Burger-Kimber, Thalhoffer)**  
**ABSTAINED: 0**

The council directed staff to investigate the possibility of developing a park in the area in question, to include property costs.

Mayor Thalhoffer called for a break at 8:47 p.m. and reconvened the meeting at 8:58 p.m.

#### **5. COUNCIL CONCERNS AND INITIATIVES:**

Mayor Thalhoffer called this item.

The council expressed condolences to the family of Sylvia Fowler who recently passed away, she was the wife of former council member Harry Fowler.



6. ADJOURNMENT:

Mayor Thalhofer called this item.

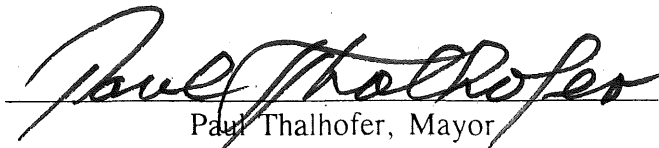
**MOTION:** Councilor Ripma moved to adjourn. Councilor Kight seconded the motion.

**YEAS: 6**

**NAYS: 0**

**ABSTAINED: 0**

Mayor Thalhofer adjourned the meeting at 9:09 P.M.

  
Paul Thalhofer, Mayor

Dated: 4-16-96

ATTEST:

  
George Martinez, City Recorder

# CITY OF TROUTDALE

## PUBLIC ATTENDANCE RECORD

March 26, 1996  
REGULAR CITY COUNCIL MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Lusk	" "	" "
Bob Cozewood	" "	" "
Pet Newton	" "	" "
Fred Rathbone		
	1470 SW Williambrook Gresham	6674897
George R. Kinsalbach	310 SW 12th St Troutdale	6655317
Margaret Ferris	5530 S.W. 187th Ave	591-1854
Jim Ferris	" " 71410th	" "
Dionne Peoples-Sapp	The Oregonians 295 NE 2nd Gresham OR	294-5939
Don deBlanc	7770 SW Mohawk Tualatin, OR	612-1017
Heather Kesten	7160 SW Hazelfern Rd Tigard	
Kevin MARTIN	7770 SW Mohawk Tualatin 97062	612-1028
Lorne MITCHELL	767 SW 12th 97060	669-7760
Charles Strait	161 SE 19th	666-6934
Richard C. LeMADOLE	1815 S.E. 18th Ave	666-7927
Nancy Strait	161 SE 19th	666-6934
Richard Kissel	161 SE 19th	666-6934